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20 Attorneys for Defendant, NETLIST, INC.

21 **UNITED STATES DISTRICT COURT**
 22 **NORTHERN DISTRICT OF CALIFORNIA**
 23 **OAKLAND DIVISION**

24 GOOGLE INC.,
 25 Plaintiff,
 26 v.
 27 NETLIST, INC.,
 28 Defendant.

Case No. 08-04144 SBA
 Related to: 09-5718 SBA

**NOTICE OF STIPULATION TO
 SELECT MAGISTRATE JUDGE
 ELIZABETH D. LAPORTE FOR
 EARLY SETTLEMENT
 CONFERENCE**

1 WHEREAS, on February 16, 2010 the parties filed a Stipulation Re Settlement
2 Conference, in which they agreed that the early settlement conference should proceed before a
3 Magistrate Judge and further agreed to meet and confer further as to selection of a specific
4 Magistrate Judge and to report back to the Court no later than Monday, February 22, 2010;

5 WHEREAS, the parties have met and conferred on the issue;

6 WHEREAS, on February 22, 2010, the Court referred the case to Magistrate Judge Maria-
7 Elena James for an early settlement conference;

8 WHEREAS, on February 22, 2010 the parties submitted a Stipulation and Proposed Order
9 to have the case referred to Magistrate Judge Patricia V. Trumbull for an early settlement
10 conference;

11 WHEREAS, the parties were informed by the Clerk of the Court shortly thereafter that
12 Judge Trumbull could not hear the matter; and

13 WHEREAS, the parties have further met and conferred on the issue.

14 WHEREFORE, IT IS HEREBY STIPULATED THAT:

15 1. The parties elect to have the Cases referred to Magistrate Judge Elizabeth D. Laporte
16 for an early settlement conference.

17
18 Dated: March 2, 2010

KING & SPALDING LLP

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20 By: /s/ Geoffrey M. Ezgar
21 GEOFFREY M. EZGAR

22 Attorneys for Plaintiff
23 GOOGLE INC.
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Dated: March 2, 2010

ADRIAN M. PRUETZ
PRUETZ LAW GROUP LLP

By: /s/ Adrian M. Pruetz
ADRIAN M. PRUETZ

Attorneys for Defendant
NETLIST, INC.

DECLARATION OF CONSENT

Pursuant to General Order No. 45, Section X(B) regarding signatures, I attest under penalty of perjury that concurrence in the filing of this document has been obtained from Adrian M. Pruetz.

Dated: March 2, 2010

KING & SPALDING LLP

By: /s/ Geoffrey M. Ezgar
GEOFFREY M. EZGAR

Attorneys for Defendant Google Inc.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: March __, 2010

Saundra Brown Armstrong
United States District Judge